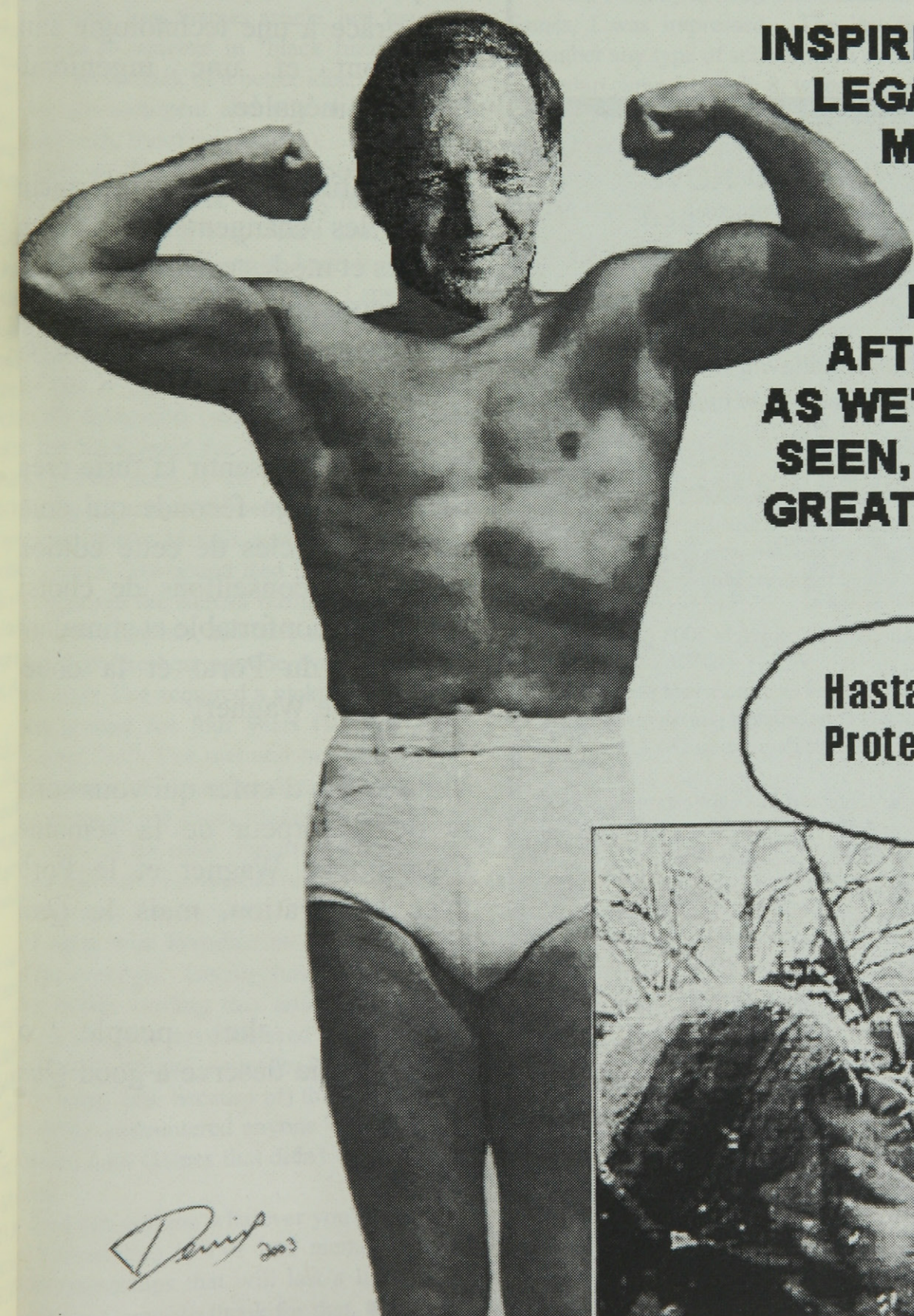


Quid Novi

McGill University, Faculty of Law
Volume 24, no. 4 - October 14, 2003



**INSPIRED BY ARNOLD'S
LEGACY, OUR PRIME
MINISTER HAS
DECIDED TO
TAKE UP
BODYBUILDING
AFTER RETIREMENT.
AS WE'VE ALREADY
SEEN, HE'D MAKE A
GREAT TERMINATOR...**

Hasta la Vista,
Protester!



Denis 2003

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Contributions should preferably be submitted as a .doc attachment. All anonymous submissions will be rejected.

Editor's Note...

Très chers et fidèles lecteurs et lectrices du Quid,

Soyez les bienvenus au lancement spectaculaire de la nouvelle édition de votre journal : le *Quid Haute Définition*.

Le *Quid*, phénix juridique des temps modernes, renaît de ses cendres grâce à une technologie sans précédent et une ingéniosité humaine inégalée.

Vous sentirez, nous n'avons aucun doute, les changements, souvent timides et modestes, mais ô combien saisissants dans cette version numérisée et bientôt offerte en hologrammes.

Pour mieux ressentir la furie créatrice et la rage féconde qui émanent des articles de cette édition, nous vous conseillons de choisir un endroit confortable et stimulant. Le *Quid*, du Porto et la douce musique de Wagner!

Voilà le trio d'enfer qui vous sortira de la torpeur de la semaine. Consommez Wagner et le Porto avec modération, mais le *Quid* avec excès.

« Because the people of Cowlifownia deserve a good *Quid* now! »

Ze Quid.

Mr. Law Games

by Stephen Panunto (Law Games I)

Geez, what is there left to say? I've been accused of pimping Law Games for so long, I don't know what I can come up with to encourage people to come to Halifax this year. You can check the re-print of the 2002 experience - that was my favorite Law Games article, just 'cause I managed to squeeze in "black fuzzy hand-offs." So for lack of a better idea, I'm going to be self-indulgent and talk about myself. Yeah, yeah, shocking, I know).

For you first years, I have been referred to as "Mr. Law Games" - usually in a derogatory manner, mind you. That's cool - I can't get jealousy when I see it. Truth is, I really love Law Games, which is why I spent one year on the organizing committee when McGill hosted a couple of years back, and why this is my second year organizing the McGill delegation (what, you thought I ran for the LSA again for the power and prestige?). I've seen it all - 36 hardy souls trekking to across the continent to Calgary, posting 1000 at McGill, and loading up over Quebec City-bound Red Devils last year. I've watched the sunrise during Law Games more often than not, and have enjoyed everything from the best poutine ever to the best steak ever. I've acquired a nickname that has stuck around for four years (so stop your whining, Oz!). I've met and become friends with some of the most interesting people I've ever encountered in my lifetime. Finally, I've had some of the most intriguing experiences of my life - all over the course of a combined 2 days over three years.

I agree with Brendan that Law Games is not for everyone - usually those people won't even bother reading this article, and that's fine. If you have not dismissed it out of hand, you should seriously consider it, despite (and at the same time because of) this year's cost. I've never encountered anyone who actually attended Law Games that didn't enjoy themselves.

You can call me whatever you'd like, but the bottom line is I've had memories and made friendships that will last a lifetime. I love Law Games to thank for that. ■

A Recipe for Good Times

by Lana Rabinovitch (Law I)

I don't come from a background where school spirit rides high, where everyone knows each other and is friendly, where everyone is really studious but also helpful to others, where the teachers really seem to love what they are teaching...I come from Concordia, home of the politically insane. It feels nice to be part of a school where I don't have to look over my shoulder everywhere I walk.

When a buddy of mine told me about Law Games, I was impressed. The last time I remember any type of school spirit event was leadership camp in grade 8, where we would spend countless hours screaming cheers, only to wind up deaf and voiceless.

I found it kind of odd, I thought that I was hearing things....I would never place the word "law" and "games" in the same sentence...that would be an oxymoron. But lo and behold, I was wrong (I guess there is a first time for everything). So I decided that I had to see this for myself and I joined the

Law Games Committee.

Here's the deal...apparently, what law games is is a bunch of law schools from across Canada that congregate in one city, this year it's Halifax, and get this...play games. Pretty cool, huh? What type of games you may ask? Sports games, intellectually stimulating games, and fun games (I can think of some fun games but I don't know if those will be played ...). All these activities are interspersed with heavy amounts of alcohol consumption. It's a fabulous chance to meet people from all over and who knows, you might even make some pretty interesting friends. This law games thing sounds to me to be a recipe for good times!

Law Games is fun way to build school spirit and camaraderie amongst your peers. It forces you to work as a team, drink like a barbarian and function on little to no sleep...hmm, this is actually starting to sound like law school.

See y'all in Halifax! ■

Games, Good Friends, and a Little "Eddie Surprise"

by Andrea Clevon (Law III)

I'd like to offer a small piece of advice to McGill's future Law Games participants. If you run into a tall guy from Sherbrooke this year and he asks you if you'd like some "Eddie Surprise", JUST SAY NO! Ha - don't worry, our friend Eddie is not some naked wacko in a trenchcoat running around flashing the nation's law students. It's worse, I'm afraid. You see, I said yes. Turns out, I drank backwash. Yup. What I thought came from a punch bowl really came from Eddie's Caribou (a hollow plastic tube with a Bonhomme Carnival head for a stopper) and from the looks of him, Eddie had been swigging away at it for quite some time. Lovely.

However, assuming you can manage to get through a few days without being tricked into drinking down vodka mixed with some stranger's backwash, Halifax this year is guaranteed to be nothing but fun! I've been to Law Games twice now, and I have to say that each time has definitely been one of the highlights of my time here at McGill. I've met great people from other schools around the country, and I've got to know people from McGill so much better - especially those not in my year. Whether you enjoy sports or not, Law Games is really worth experiencing. It's the kind of fun you can only have travelling and living closely with a group of people for a few days, partying and cheering each other on, whether it's for hockey, cherry spitting, or mooting.

Hopefully I'll get to spend time with a lot of you in Halifax this year, and in the meantime come on out to the Law Games Coffee House on October 16th where we'll be doing the Maritime thing and trying to raise some funds for the trip! ■

Halifax and Law Games

A Match Made in Party Heaven

by Pascal Zamprelli (Law Games III)

I'm writing today with the simple goal of telling you about a few of my favorite things. Sorry Sound of Music fans, I'm not talking about brown paper packages tied up with string. Unless of course you replace the word "tied" with "filled" and the word "string" with "beer".

First, imagine a place where the atmosphere is relaxed and sociable, where people spend their days in an inebriated stupor, singing and laughing merrily all the while. As some of you may have figured out, I have just described my hometown, Halifax. It may interest you to know, for instance, that Halifax boasts a rich history, an esthetically gorgeous downtown, and the most bars per capita than any other city in the country. I shit you not. Let me suggest, furthermore, that should you ever encounter a local on the streets of Halifax, please do not be put off or confused by his or her excessive friendliness and hospitality. They are not trying to sell you anything, nor are they just talking to you so

you will go upstairs and look at naked girls. Yes, in Halifax treating everyone like your neighbor is the norm. If you answer their greeting with something like "Boy, Haligonians are nice folk", they will be very impressed and love you forever. Also, it is likely they will treat you to a Keith's Pale Ale, or even some homebrew.

Now, imagine an annual event where the atmosphere is relaxed and sociable, where people spend their days in an inebriated stupor, singing and laughing merrily all the while. The more clever among you will realize I'm now referring to Law Games, an event I have enjoyed so much I can barely remember it. Twice. Not only are you engulfed in a cloud of constant revelry, but it's also a very efficient way to declare all your New Year's resolutions utter failures, mere days after you've made them.

The purpose of this rant is to point out that sometimes the stars align in a manner that cannot be ignored. In other words, when, this

January, the world of Halifax converges with the world of Law Games, all bets are off. Either is a really, really good time. Both together will be good times squared. In fact, take all the good times in the world, put them together, and square that - that's how much fun we're going to have. Lest I forget we are staying in a 24-hour bar/casino (where, incidentally, friends and I personally observed the problem gambling of a certain CBC celebrity...).

Bottom line, all the elements are there to ensure the kind of experience you tell your grandkids about, but not your kids. Make sure you're there, too. ■

The Best Experience Ev-ver

by Carol Gagne (Law Games II)

Last year, I was a de facto member of the Law Games Committee. It was one of the best experiences of my first year. Although I am by no means an athlete (walking without hitting walls is an accomplishment for me), I still enjoyed a few real sports and a lot of fun games (i.e. Pictionary, body painting, etc.). I may add that we took home the Fun Games trophy last year, for which I am willing to take full credit despite not deserving said credit.

Of course, the best sports of all were the drinking games. It's so much easier to make friends with law students when you're hammered and I made a lot of friends that week. Seriously, I had a great time partying with people from all over Canada and I also made a lot of new friends from McGill - drinking being the bonding experience that it is. Overall, Law Games is a great way to start a new term, it reminds me that law school isn't only about stress and reading! ■

Confessions of a Truant Law Gamer

by Nawel Bailey (Law Games III)

I have to confess to being a bit of a truant Law-Gamer. Let me premise this by saying that I have never been much into the face-painting, beer-chugging rah-rah-rah that I imagined Law Games to be. Having been proven wrong by my first experience, I looked forward to my second in Quebec City. I can't say that I was a very valuable contribution to our performance, other than in the socializing events (I earned my stripes playing ultimate in 4 feet of snow and -30 C weather, and that just about did it for me). I can say that I was a key player in securing a wicked V.I.P. area in a dark corner overlooking the dance-floor, bedouin-tent-like, complete with velvet ropes and a reserved sign, for McGillers and friends thereof at one of the many clubs we patronized. I also definitely got my money's worth for the hotel room.

Having T.V. only during clear weather at home, I relied a little too heavily on the TLC station while nursing the previous night's indiscretions. I still refuse to watch The Baby Story-- it doesn't mix well with nausea. From what I remember, I do believe I may have eaten excellent poutine at least twice a day. While I send my regrets this year, I'll add that what makes Law Games fun is that you don't have to do anything you don't want. McGillers will never paint their faces purple or dress up in diapers, and we will likely always insist on black-with-tasteful-red-trim get-ups, but that's what makes Law Games fun. You do what you want-- even if it means becoming addicted to late nights (early mornings?), cable TV afternoons and the odd game of Dodgeball, Twister, or a sit in the hot tub. ■

Heart. Discipline. Perseverance.

by Brendan Gluckman (Law IV)

When I think of Law Games/Jeux'ridiques, these are the three words that first come to mind. Stephen has asked me to write an article on my favourite Law Games memories. I imagine he expects some kind of rambling, semi-coherent, nostalgic, veteran old-timer reverie that will help him pitch HALIFAX '04 to the rest of you-I'm not writing that article. I'm gonna be frank: Law Games may not be for every one of you. It takes a special breed.

Heart. Discipline. Perseverance.

A member of the McGill contingent must possess all three of these qualities-and in such abundance as would have made a Spartan blush. You see, you will face the inevitable obstacles each Law Games participant faces on his or her path to glory: inclement weather, inclement hangovers, hunger, fatigue. And there will be temptations (let's not forget the temptations): booze, smokes, other smokes, margineh, tequila, gin, whisky, vodka, beer, foot-back man-oh-so-good-massages, coldschlager, schnapps, seducers and seducers, triple sec, did I say booze....

Irrespective of how sounds your uniform 'Back in Black', Calgary '01; 'McGilligans', Montreal '02; 'Red Devils', Quebec '03), you will find yourself not completely immune to the aforementioned elements. And so, as you

sing 'Ce n'est pas ton p'tit doigt qui me chatouille' with U de M, Sherbrooke, and L-A-V-A-L-Laval-et la-let's go; as you face off against Calbertchewan in the snowman-building ('we know our snow') and bodypainting ('what's a bikini?') competitions, flexible Dal in the 'who can compromise themselves most' twister event, sharp-sighted Queens on the

pool table, Western farm boys in flag football, U of T on the ice-rink and ultimate field, Victoria Vikings on the volleyball court... remember three things.

Heart. Discipline. Perseverance.

(And if you ever forget, or find yourself just a little unsure, ask Stephen to show you the subtle tattoo on his right cheek.) ■



Law Games and the Meaning of Life

by Renée "Oz" Darisse (Law Games II)

What makes Law Games such a rich and rewarding experience? Some might say that it's the chance to travel across this great country of ours and see different cities. Others might point to the much needed diversion from the soul-sucking routine that the law school experience can become after a while. For me, the best reason to go to Law Games is the chance to meet and temporarily live with some truly wonderful people who I may not otherwise meet, all in a non-law school environment.

You know all those people in your classes that you'd like to spend hours talking to, yet you never find the time because you have class and readings and assignments and intramurals and three different clubs to participate in and you also might need to sleep and eat at

some point? Well, Law Games is the chance to see everyone at ease (some are more at ease than others, some are MUCH more at ease due to various substances that may or may not be consumed in moderation or to excess) and to get to socialize with them when the most stressful thing they're dealing with is deciding whether to play volleyball or flag football or to go watch a moot. Personalities emerge, unfiltered, and everyone is ready to have a good time - it's a wonderful environment to be in and it brings out some interesting aspects of people's personalities, particularly on the last night if you've decided to stay up to watch the sunrise. There's nothing like sleeplessness to provoke memorable conversation.

Law Games is also a convenient time to acquire a mysterious nickname that will stick

with (haunt) you for the rest of the trip/law school. For fun, slap on a straight face and a sheepish air about you, and try telling people that you got your innocuous little tattoo in federal penitentiary, while serving a two year sentence for a B & E, and see what nicknames pop up. Good times.

Besides the fabulous kids that you'll meet and get to know way better than you ever thought possible, there are the opportunities to play many sports, do some creative stuff (art competitions, etc), be all academic and stuff (mooting, trivia) or just be wild and crazy and help win us the spirit award. Law Games won't get you into heaven or win you a Nobel Peace Prize or fill that nagging void in your life, but as far as go non-law related activities that let you bond with your ►

What I Learned at Law Games 2002

by Stephen Panunto (Law II) [Reprinted from January 2002]

They say you learn something everyday. Well, whoever 'they' are, they were wrong. In the 4 days of law games, I learned way more than 4 things. Here is just a sample (the things that could be repeated without affecting my bar school application, anyway):

- I learned a human can go 36 hours without eating while working 10 hours and sleeping 2 hours.
- I learned why U of T was booed at the opening ceremonies.
- I learned that delivering over 950 St Hubert chicken dinners is way more complicated than it sounds.
- I learned that volunteers are really helpful and generous with their time...if they get free t-shirts and beer!
- I learned that Lizanne can out-smart me at 3:30am even while drunk
- I learned that 3 people actually thought my name was Zeus (I'm Italian, not Greek!).
- I learned that garbage can lids bear some resemblance to door stops, for some reason.
- I learned that best friends are best friends because they'll save your ass when you most need them to.
- I learned that there is one guy in the faculty more injury-prone than me - and his name rhymes with MENACE.
- I learned to never trust UPS for important deliveries over the holiday season.
- I learned to always be prepared when Marc Edmunds and a video camera are around.
- I learned that size doesn't matter - Calgary won the spirit award with less than 20 delegates.
- I learned that size helps, though - Osgoode won the sports award thanks in no small part to a delegation of over 160 people.
- I learned that it sucks when McGill doesn't win the sports award, even if I'm supposed to be impartial.

- I learned that sometimes a contract is not a contract, especially with Gert's.
- I learned that refereeing is easier than it looks.
- I learned how to score a goal while playing goal.
- I learned to never trust a CBC producer, because their promises about interviewing you on national television turn out to be empty.
- I learned that it is possible to drink alcohol for 96 straight hours - I saw one guy from Laval with a beer in his hand at 9pm, 4am, 9am (!) and 3pm every day.
- I learned that sometimes it is more interesting in the elevators than in the party room.
- I learned that some students (from an unnamed university that starts with a W - and isn't Windsor) think that fire extinguishers are some form of party favour.
- I learned that if I ever have to negotiate for my life, that I'm calling TJ considering what he managed to pull off with the hotel (see previous learning experience).
- I learned that Peter Wright isn't human, because as far as I could tell he went 4 days

without sleep.

- I learned Joelle's mom, Eva, is in better shape than most law students - and she's really into techno.
- I learned who Professor Healy is.
- I learned that even with hours of practice, couldn't hold a candle to Vinay on the dance floor.
- I learned that the Bay sells black fuzzy handcuffs.
- I learned that cheap plastic Frisbees shatter like glass when frozen.
- I learned that 3 elevators is not nearly enough for almost 1000 guests - even at 4am.
- I learned that swearing to 'never touch alcohol again' necessarily implies 'until the next sponsored coffee house'.
- I learned that Marianne is an amazing person to be able to pull off an event of this magnitude with such great results (and that she has great taste in VP's).

Thanks to everyone who helped out (especially with sports) - you helped make Law Games 2002 an event to remember! ■



2004 LAW GAMES COMMITTEE

PRESENTS:

MARITIME COFFEE HOUSE

SILENT AUCTION

Bid for items such as:

- Lunch with the (interim) Dean
- Lunch with the (incoming) Dean
- Lunch with the LSA President
- One Hour of computer consulting with Ron Narine
- Passes to Golf Dorval
- Casa Greque gift certificates
- Jewelry
- And a few more surprises!

HAPPY HALF HOUR

Between 4:30 and 5:00PM,
it's a buck a beer!

GET SCREECH'ED IN!

Become a *True*
Newfoundlander by Kissing
the Cod!

LEARN THE JIG

Dancing lessons with Andrea

FREE PRIZE DRAWS

with beer purchase, along with
food and Maritime music!

Right is Mike: The Rise of the Governator

by Michael Hazan (Law II)

Judgment Day came early for Gray Davis as Arnold Schwarzenegger erased all doubts by becoming governor of America's most populous and fickle state. After his sixth day in office the new governor of California will need to prove to his constituents that he has the ability to lead the world's fifth-largest economy and put an end to the days of a near \$40 billion dollar deficit.

The campaign to recall Davis picked up serious steam over the summer and you have to wonder: was the ex-governor given a raw deal? It seems to me that during this hollywoodesque campaign, Davis wilted in the red heat and Arnie capitalized like a predator on the Democrats' shortcomings. Despite the collateral damage associated with Schwarzenegger being portrayed as a sexual commando, he overcame a tough smear campaign to beat 134 other gubernatorial hopefuls. Even if the lies are true, why did all the women wait until the height of the campaign to say that Schwarzenegger behaved more like a barbarian than a kindergarten cop? I believe that this was yet another case of dirty politics, but Arnie overcame this obstacle as well as he did some of his movie flops (i.e. Junior, Stay Hungry) and is jingling all the

way to the governor's mansion.

I really don't think that Arnie will be the last action hero to run for office and this may be the beginning of a successful trend for stars past their prime. What about Jean-Claude Van Damme for head of the European Union in Brussels or Batman and Robin for state senate? The possibilities are endless. However, instead of ridiculing Schwarzenegger, let's give the guy a chance. After all, the man has accomplished a great deal in his life. He became Mr. Universe, as well as the most significant action star of our generation and now has become governor of one the most important states of the union. If anyone can turn around California, it is the man who played the indomitable Ben Richards in The Running Man. If you recall, Richards single-handedly killed all the network stalkers and dismantled the stranglehold that television had on society. If that weren't enough, Schwarzenegger has the best DNA money could buy, as evidenced by the film Twins. I shouldn't have to remind you what Danny Devito got. In all seriousness, give Schwarzenegger time to turn California around. Unlike his movies, he may end up surprising you! ■

Are Anglophones Lazy?

by Amber Van Drielen (Law III)

Being an Anglophone (as I am) can easily be a license to be, well, lazy, at least in the area of learning second languages. Needless to say, not every Anglophone is implicated in this observation and the number of native English speakers at this faculty who are bilingual, trilingual and more obviously proves this point. However, as a population Anglophones can be fairly accused of being a little apathetic with regards to languages. It's true that often an Anglophone can succeed quite nicely, probably even get a great international job, while all the time remaining unilingual. This is very unfortunate. Being a unilingual English speaker allows for a particular view of the world - or rather the various views that are

contained between the covers of the Webster's English dictionary. If something's not in the dictionary, then it doesn't exist. But what if the concept exists in French, or Arabic, or Chinese? Languages open up new worlds...even for Anglophones.

Now that I have subjected you to my thoughts on language, it should come as no surprise that one of the things that attracted me to study law at McGill was the faculty policy of bilingualism - or rather, "passive bilingualism". I thought being able to attend lectures, listen to guest speakers and have class discussions in two languages would be an enriching educational experience. It has been. It is. However, I must honestly admit that while my French skills may be "passively bilingual"

they were (are) in fact extremely limited. Furthermore, being only passively bilingual gets old rather quickly. Given the numerous Quid articles relating to language skills written over the past year or so, it appears that I am not alone in my limitations. What to do?

Although there are obviously many non-law opportunities that allow students to improve language skills, there are also some very rewarding and easily accessible ways to improve French language skills while gaining McGill Law credits. First of all, there are law classes offered in French at the faculty. There always appears to be space in these classes. It would be a good idea to have a faculty requirement that every student has to take at least one or two courses offered in French. Over the course of a three-and-one-half year program, this does not seem excessive. This would also be a wise use of resources since it should mean that law classes offered in French would fill up.

Montreal also has two major francophone universities. These are a great place to take classes which (upon prior approval) can be transferred to McGill for credit. Since these universities offer courses in all subject areas it is not difficult to find something of interest that will be accepted as transfer credit. My own experience of spending two months (summer term) at UQAM felt like I was on a 'mini-exchange' right here in Montreal. The political theory was useful and thought provoking but equally important was the fact that speaking and writing in French suddenly became much less strained. I noticed that since my notes were in French and the time allocated for exams was generous, it became feasible to write exams in French - something that I had not considered doing while at McGill. Add to this the social interaction and discussions with fellow classmates and it ended up being a great little "mini-semester."

So, although not all Anglophones are linguistically lazy, in my experience it is easy to get away with being just that. Outside of Quebec, it seems often that people are actually surprised that you've bothered to learn a second language. Although this is hopefully changing, there has often been an assumption that if you speak English no other languages are necessary. It is great to study at an institution where language is considered important. One of the strengths of McGill law is that it can provide students with opportunities to further their second (and 3rd) language skills which are so important in allowing for new understandings of our world, new ways of expressing ourselves, and which are also important as a matter of respect. ■

Micturating into the Prevailing Breeze

Canada and the Charter, Part 4 of 7: The Judiciary v. Workers

by Daniel Moure (Law III)

Historically, the courts have not been favourably disposed to the interests of workers. In Canada, some forms of trade union activity, such as strikes and picketing, were partially decriminalized by legislation beginning in the 1870s. But as such activities were decriminalized, the courts expanded existing tort doctrines, or invented new ones, to limit those very activities, and they also often refused to enforce collectively bargained contracts. During the Great Depression, the Privy Council struck down very important piece of federal and provincial legislation intended to benefit workers and farmers, all on federalism grounds. But by the 1970s, specialized labour relations tribunals had been established throughout Canada, and most aspects of labour relations had been removed from the purview of the courts. To be sure, the courts still wielded a powerful weapon against labour in the form of the injunction against lawful strikes, but various provinces passed legislation that imposed limits on the court's use of even this weapon. But with the advent of the *Charter*, the Supreme Court quickly proceeded to weaken many of the rights that workers and unions had acquired through legislation in the post-war period.

In *Dolphin Delivery*, for instance, the Supreme Court held that secondary picketing of a non-governmental entity is not protected by the *Charter's* freedom of expression provision. In the 1987 *Labour Trilogy*, the Supreme Court also held that the *Charter's* s.2(d) freedom of association guarantee does not protect the rights to strike or bargain collectively. According to LeDain J., for the majority in *Alberta Reference*, striking and collective bargaining could not be constitutionally protected because they were not fundamental rights and freedoms, but instead were rights granted by statute. Legislatures could therefore repeal or limit such rights if they so desired. According to McIntyre J.'s concurring opinion, the freedom of association merely restrained the government from prohibiting a group from carrying out activities that its members were entitled to carry out under the *Charter* as individuals. Striking and collective bargaining were not protected

under s.2(d) because an individual cannot, by definition, go on strike or bargain collectively.

The following year, the Supreme Court held in *B.C.G.E.U.* that an injunction prohibiting workers from picketing before a courthouse was valid, even though the right to picket had been conferred by the legislature. The injunction against the strike had been issued by the chief justice of the Supreme Court of British Columbia, McEachern C.J.S.C., at his own request. The trial judge who upheld the validity of the injunction was, again, none other than McEachern C.J.S.C. Dickson C.J. claimed that picketing a courthouse would interfere with the administration of justice by blocking people's access to the courts. But the only piece of evidence relating to the picketers' interference with the administration of justice was an affidavit by a Crown official, who claimed that the picketers at no time impeded anyone's access to the courts. Dickson C.J., one of the Supreme Court judges most sympathetic towards labour, could not resist referring to the "almost Pavlovian" response that picket lines elicit in union members, thereby equating union members with drooling dogs.

In *Lavigne*, the Supreme Court restricted the freedom of association further by claiming that, since it is an individual right, it includes the freedom not to associate. And in *Delisle*, the Supreme Court held that the freedom of association did not entitle RCMP employees to inclusion in a statutory regime that permitted workers to bargain collectively because the *Charter* did not impose positive obligations on the government. The exclusion from the statutory regime did not violate workers' freedom of association, since those workers were still free to form an employee association, even if they faced disciplinary charges for doing so, and even if that association could not be recognized for collective bargaining purposes.

The Supreme Court jurisprudence on labour issues has led to universal criticism of the court's attitude toward workers. Even Beatty, possibly the most ardent advocate of workers' faith in the *Charter*, has seen his own faith lapse, arguing "the Supreme Court

committed errors of logic, interpretation, and doctrinal analysis of the most basic and crudest form." If only the *Charter* had "been applied in the proper way, workers would get the same protection and be entitled to the same guarantees as everyone else." Recognizing the universal criticism, the Supreme Court has adopted a gentler approach in its recent *Second Labour Trilogy*.

On their face, these three decisions represent significant victories for unions, since they overturn or distinguish some of the most contentious *Charter* rulings against unions. But the court has simultaneously used these decisions to expand its jurisdiction into the labour relations sphere and to impose further restrictions on unions. In *Advance Cutting*, the Supreme Court held that a mandatory unionization scheme did not violate the *Charter's* s. 2(d) freedom of association, but the decision has almost no precedential value because it dealt with the only mandatory unionization scheme in Canada. At the same time, it imposes democratic requirements on all unions, with the courts as arbiters of whether those requirements have been met or not. Dunmore extends limited protection to some of society's most vulnerable workers, but it requires workers to contribute to their own marginalization in order to receive the protection of the courts: only if private sector workers can demonstrate themselves to be completely incapable of defending their own interests will the courts be permitted to help them. And *Pepsi* may be the most dangerous decision of all. Historically tort law has been the judiciary's most powerful weapon against workers and unions. *Pepsi* eliminates the distinction between primary and secondary picketing, but it also reinvigorates the courts' potential to use and expand tort law in the labour relations context.

The Supreme Court's approach towards workers and unions is not surprising, considering the judiciary's historical record and the *Charter's* emphasis on abstract individual rights over collective interests. And the Supreme Court's record towards workers and unions stands in marked contrast to its record towards corporations and the rich, even overlooking the fact that the negative rulings ►

for workers represent victories for their employers. ■

Next week: Part 5, Corporations are People Too.

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Beatty, David. "Labouring Outside the Charter" (1991) 29

Osgoode Hall L.J.

Delisle v. Canada (Deputy A.G.), [1999] 2 S.C.R. 989

Labour Trilogy: *Reference Re Public Service Employee Relations Acts (Alberta)*, [1987] 1 S.C.R. 313; *R.W.D.S.U., Locals 544, 496, 635, 955 v. Saskatchewan*, [1987] 1 S.C.R. 460; *P.S.A.C. v. Canada* (A.G.), [1987] 1 S.C.R. 424.

Lavigne v. O.P.S.E.U., [1991] 2 S.C.R. 211.

R.W.D.S.U. v. Dolphin Delivery [1986] 2 S.C.R. 573.

Second Labour Trilogy: *Advance Cutting*, supra note 166;

Dunmore v. Ontario (Attorney General), [2001] 3 S.C.R.

1016; *R.W.D.S.U., Local 558 v. Pepsi-Cola Canada*

Beverages (West) Ltd., [2002] 1 S.C.R. 156

Obiter Dicta

by Jason MacLean (Law I)

"So we never live, but we hope to live; and, as we are always preparing to be happy, it is inevitable we should never be so."

- Blaise Pascal, *Pensées*

The case comment. It needs no introduction, no portentous proem, but comment, which is to say meta-comment? Yes, there is a certain itch. Not yet is it water under the proverbial bridge. Not ever, perhaps. The man [sic.] in the street must have his [supra sic.] say. Unfortunately he was unavailable for comment and so you will just have to settle for the usual obiter dicta fare.

I won't waste precious space by stating the obvious, to wit, that the red book - you all know the one, the latest in a long line of interesting little red books - blows, because it so obviously and so effusively blows (the red book does) that to say so (i.e., that it truly blows) would be tantamount to traducing the boundaries surrounding polite discourse. I won't say that the red book blows, though make no mistake, for blow it most certainly does, and prodigiously so, because this meta-comment (supra and infra baby) upon the case comment aspires to far loftier insights indeed.

So, what have we learned? That Times New Roman is smaller than Arial, and that Garamond is smaller still. That there are exactly 2.54 centimetres in an inch (of course some of you already know that, don't you). That footnoting is a mug's game and yet far closer to the reality of lawyering than we may wish at this point to countenance. That the so-called "literary" style of the case comment is literary only insofar as it is fictional. That if you were stressed out by the writing of a

seven-page comment you may wish to rid your home of sharp objects come exam time. That the "lecture" and its spellbinding PowerPoint presentation dealing with the case comment was a complete waste of time and utterly useless. And that the red book blows.

All of which, however, is to the good. To be sure, the red book blows and always will blow and its authors [sic!] ought to be hunted down and brought before a first-year tribunal, whereupon we'll truly know something of the awesome majesty of justice. But for all that it was an exhilarating experience. It was real. And out of real necessity does learning follow. I know full well that this is to many of my outraged brethren anathema of the first degree, but it is true. Life and learning do not, in my painstakingly humble opinion, come in course-size packages bearing syllabi and outlines. It is out of the frying pan and into the fire, that kind of thing.

Speaking of which, Foundations. In particular the incessant griping about Foundations. It, the griping, is getting, like, you know? Please, if your instinct

at this moment is to notice and then communicate via WebCT that griping about griping is still griping, just remember that griping about griping still being griping is griping, too, indeed griping of the very lowest sort, and that, ladies and gentleman, is about the level at which the WebCT griping is being carried out.

Foundations - love it or hate it (because you can't leave it, or can you? read on you disgruntled lot), everyone is entitled to their two cents (or much less, as it turns out). Platitudes aside, the griping cries out for deconstruction. It has already been pointed out that the griping is itself an artifact of the feedback mechanism the professor voluntarily made a part of the course. Absolutely right. But the griping goes deeper still. The griping is not, I submit, solely

or even significantly concerned with Foundations the course, but with law school generally. There are really only two options regarding the latter: Throw yourself in headfirst or keep it at bay. The latter option seems to produce, if the griping is any indication (and I think it is) a good deal of dissonance which itself demands either rationalization or cognitive (and critical) distancing.

At this point I face a thorny dilemma, for I am divided as to which persona I should adopt in advising those attempting to keep law school at arm's length (it goes without saying that both persona are of necessity presumptuous to say the least). In preparation for exams I'll simply bypass the choice and present both sides.

Side one is best argued à la Dr. Phil (of whoever the feel-good-you're-really-okay-as-you-are mouthpiece of the week presently is). He would tell you to get over your fears, your apprehensions, your "issues," your crippling doubts, and whatever else that ails you, and just dive in. Stop being such a control freak, in other words, whereby you can neither function nor be happy absent control over your immediate environment and future. He might say though this begins to encroach upon the other side, to get over yourself. Stop taking yourself and your precious time so damn seriously. This last imperative is a difficult one to ignore because after all, if you have the time to read drek like obiter dicta, you have time for Foundations, so get a grip. Deal with it. Turn that frown upside down. Give us at least a sardonic smile, or haven't you heard? Law school

**The sad truth is this:
Griping, like the red book, blows.**

is fantastic. It is, as one learned scholar once put it, a way of being alive. And a pretty lively one at that.

(None of which is meant to qualify in any way the statement (supra) that the red book blows.)

So what is side two? It has two versions the first of which is the more parsimonious. It's not too late to leave and do something else with your life, and perhaps you might begin to give this some serious consideration. The second version is a little less pith but perhaps no less harsh, and it goes something like this: when you accepted McGill Law's offer and you decided to come to law school, you implicitly agreed (morally if not contractual

to try to make, obviously inter alia, a contribution to the life of the faculty. To not only get an education but contribute to the education of your class. Do you really think your incessant infantile griping fulfills this obligation? (That, friends, was a rhetorical question). Because the sad truth is this:

Griping, like the red book, blows. And the even sadder truth is this: If you cannot immediately tell the difference between griping about the red book (which, if I haven't mentioned it already, blows) and griping about a course like Foundations, you might want to borrow a quarter and call your mother,

because you are not going to become much of a lawyer, let alone a human being, if such patently obvious distinctions are beyond your otherwise subtle and penetrating ken.

All of which is just another way of saying that, if you must gripe, then really gripe!

Me, I'm with Blaise. ■

On the Kwalitiy of the Quid

by Michelle Dean (Law II)

I'm an environmentalist. Printing a newsletter, for the sake of leaving a whole lot of paper around the Faculty that few actually read and fewer derive benefit from, is just plain wasteful. I'm not suggesting we get rid of the Quid, but our "we'll print anything" policy seems to be encouraging mediocrity. Stanley Fish wrote a great article in the Chronicle of Higher Education recently about the invocation of so-called freedom-of-expression rights in cases where some truly awful (in this case anti-Semitic, but the principle is extensible) shit has been published in campus newspapers. (It's available at <http://chronicle.com/free/v49/i40/40c00301.htm>.) Fish pointed out that most people concede the right to express oneself freely with the right to a platform for said views. Sometimes there are things that oughtn't or don't need to be said, and publishers and purveyors need not be bothered by saying that.

Here at the Quid we seem to have bred a backwards variety of this problem. Because the Quid grants everybody a right to a platform, some (and let me stress not all) students consider this a license to throw caution to the wind when submitting to us. I don't just mean stylistically either - the content is usually uninspiring as well. Not being a top-down kind of person, however, I doubt getting rid of the "accept-anything" policy will do anything to sink the Quid. So I thought I'd try to mobilize the grassroots instead. Here follow a few suggestions about how to write a good Quid article, which you may take with a grain of salt because they're not exhaustive. Nor do they apply to every kind of Quid article one might want to write. But for your run-of-the-mill opinion piece, here's a possible roadmap:

1. If you have a great idea for a Quid article, don't write it and send it off immediately. Go home, watch the news, maybe have a drink, go out, go to sleep, get up the next morning, shower and go to school or to church if it's the weekend. Repeat twice. If after this process the topic still seems like a

good idea, then write the article. Even if this means postponing your revelation to the masses another week because you missed the Quid deadline, so be it. We aren't a timely publication anyway. Consider whether you are killing trees: to serve your own ego or to make a point; to indicate your awareness or to heighten other peoples; to agree with what's already been said or to offer a new perspective.

2. Either subscribe to the New Yorker, buy it or read one article at McLennan before you submit your first piece to the Quid. Naturally, because we have no standards, we don't expect you to be Seymour Hersh, David Remnick or Anthony Lane (my personal favourite) on your first time out. Sure, the New Yorker is "hopelessly bourgeois," as a friend of mine once said. But the style of the essays will have an effect on you, and hopefully scare you away from passive voice. They also show you how to be literary without coming off like a pompous ass. Essay writing is an art of ordinary language, not erudition. Words that any high-school educated person could not understand in context are not recommended.

3. It's the Quid. No one thinks you're a reliable source of information. No one's going to mine your footnotes for future research on the subject. So don't use them. If you do, it suggests a certain pedantic quality that makes people flip past your article in the first place. That doesn't mean if you want to refer directly to something a bit more obscure you shouldn't include identifying material. (See above with Stanley Fish.) Just keep it simple. In sum: in-text, direct references good; footnotes and bibliographies bad.

4. You also generally should try to refer to things that everybody has heard of. No one's giving you brownie points for knowing more about Foucault than your average B.Comm. They might, however, appreciate a cleverly drawn analogy to The Matrix or a hidden Buffy the Vampire Slayer allusion. (Anyone

found mine yet?)

5. Some people say the Quid should always be funny. I disagree. I think humour is a difficult thing. I don't go see stand-up comics because I'm afraid of being embarrassed for them if it's an off night. To make humour a requirement would thus prevent a serious swath of the Faculty's population from contributing to the Quid. I do, however, think it's reasonable to say that the tone should be kept light. You can be passionate without being fire-and-brimstone preachy or tossing words like "monstrous," "doom," and "disgraceful" about indiscriminately. This is a problem I've had trouble overcoming in my own writing because I'm not a funny person. (Although it might be fair to say that I'm sarcastic.) But angry or grim people are scary. (And not in that good Blair Witch Project kind of way.)

5. Be open minded. You are not likely to make an argument everyone agrees with. Keep this in mind when writing the article. Everyone likes to poke holes in a know-it-all's argument. It's much better to offer a qualified view of a subject than hammer home your point that "CRIME IS BAD!" Complex minds are much more fascinating than self-righteous ones.

And 6. Play nice. Remember that the editors are spending their evenings (and in Fabien's case, most of the weekend) publishing your stuff. If you want to flame someone, email them. That's partially what the Bottin is for. Don't make us a party to your disagreement.

Some of you may be thinking that the last article I wrote in these pages was about how no one should tell you what to think about how to behave law school, and here I go now breaking my holier-than-thou edict against prescriptive articles in the Quid. Tsk tsk. But you know, I like the Quid, because as a pacifist the only way I know to resolve conflict is through conversation. Elevated, considered conversation is, however, much better ►

at achieving that goal than carelessly expressed and arbitrarily held opinions. So I'm willing to shove my earlier principles in the closet and come right out and say it: please, please, PLEASE write better articles for the Quid. ■

Chico Resch Stumbles in Quest for Perfect Season

by John Goudy (Law IV)

Despite the return of David "the Hammer" Lametti to the lineup, Chico Resch fell 3-2 to New Dynasty on Wednesday night. Sandy Kherha opened the scoring early. Taking advantage of a pick laid by Dennis G., he drove hard to the net and wristed the puck past the goaltender. For the next 20 minutes, though, Chico's offence faltered and left the team behind 2-1 at the halfway point of the game. Dinesh Melwani managed to tie it up on a breakaway goal, as Adam Zanna found him with a beautiful pass from Chico's own goal line, but that was all the offence the team could muster. With the score knotted at 2-2, things were falling apart. A jurisdictional battle broke out between the referees and the scorekeepers. The former were busy handing out cheap penalties, and the latter were insisting that penalties and goals are the same thing. Dizzy from this political tug-of-war, Chico Resch relied on the strong play of rookie Paul "Chico Resch" Cabana in the net, who made both stellar and brilliant saves. Special mention also goes to team captain Greg Rickford who tried his best to go to the box, imitating the famed European swans of the 70's and 80's era National Hockey League. Alas, it was not enough, as New Dynasty was able to score more goals and penalties than Chico. The next game goes on Sunday, October 19th at McConnell Arena, when the team hopes to regroup and make the Mighty Putos cry like small children. Come out and watch. ■

Radical Agenda

by Brendan Gluckman (Law IV)

'Israel's Security Fence or Apartheid Wall?' I am reminded of placards borne by demonstrators in Durban in 2001 at the UN World Conference Against Racism: 'Zionism is Racism.' 'Zionism & Nazism: Two Faces For One Coin.' Radical Law's choice of title for the lecture to be held this Thursday on the Israeli security fence is offensive. The choice is morally reprehensible not just

because it is inaccurate and irresponsible—because the analogy it draws is a patently false one—but because it represents the conscious application of a pejorative label in order to vilify a society and further demonize "little Satan." To my mind, there is no real difference between Radical Law's choice of title and the vitriol I have seen spray-painted around the city; only more clever—and with a question mark—hovering at the edge of political correctness. For my part, I would rather Radical Law write the equation in the same stark terms it has been written on Prince Arthur, Milton and elsewhere, without pretense of historical correctness or neo-liberal timidity:

Star of David = Swastika ■

The McGill Radical Law Community & the McGill Centre for Developing-Area Studies (CDAS) presents:

"Israel's Security Fence or Apartheid Wall?"

An Israeli peace activist and a Palestinian-Canadian lawyer come together to speak about the legality of the WALL being built across the West Bank and the implications for Palestinians and Israelis.

**Thursday, October 16,
4 PM in the Moot Court,
Faculty of Law, McGill University**

Diana Buttu is a legal advisor to the Palestinian National Authority's negotiating team, a Palestinian-Canadian lawyer and a member of the Ontario Bar, who is well - known from her many appearances on CNN, BBC and Canadian television.

Oren Medicks, like every other Israeli citizen, has served in the Israeli Defence Force, but unlike most, he has been active in the peace movement since the beginning of the first Intifada in 1987. He serves as webmaster for the Gush Shalom website when he isn't touring and speaking out.

U.S. Holocaust Memorial Museum Newsletter

October 10d, 2003

Bonjour à tous!

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POSTINGS (FELLOWSHIPS, ALUMNI,
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U.S. Holocaust Memorial Museum,
Coordinator, Documentation & Outreach
Committee on Conscience

Major Duties: The mandate of the committee
on Conscience is to alert the national con-
science, influence policymakers and stimu-
late worldwide action to confront and work
to halt acts of genocide and related crimes
against humanity. In furtherance of this man-
date, the Committee is expanding its efforts
to document and disseminate information
about threats of contemporary genocide. The
Coordinator, Documentation and Outreach,
coordinates and initiates research and
documentation of genocide and threats
of genocide, and devises and implements
strategies for disseminating that information,
including through the use of the Committee
website, www.ushmm.org/conscience, and
to serve. The Coordinator conceptualizes
and coordinates programs on topics related
to the Committee's mandate for a range of
audiences, and represents the Committee in
meetings, conferences, etc.

Qualifications Required: Advanced degree in
discipline relevant to the Committee's man-
date, such as law, international relations or
area studies, or similar disciplines.

Significant experience in promoting the
protection of human rights, especially in
communicating human rights issues to a
broad audience. Demonstrated ability to
think strategically and succeed in a political-
ly complex environment. Experience using
the internet as a communicating and organiz-
ing tool. Initiative, creativity and ability to
work with others and to interact with promi-
nent individuals.

To Apply: For more information and to
apply, visit www.ushmm.org. The
application deadline is October 23, 2003.

This is a donated permanent appointment
with benefits. The United States Holocaust
Memorial Museum is an equal opportunity
employer.

**** Job Opening - LSAT Instructor, STE**
Standardized Test Educators:

Description of the Position:

- Teach LSAT curriculum developed by STE
on or near campus
- Conduct tutorials to answer student ques-
tions
- Answer the questions of students by phone
or email
- Monitor student progress based on weekly
practice exams (instructors
do not need to proctor or grade the exams)

Duration of the Position:

Successful candidates will have a contract to
teach at least 4 courses
in the next 2 years, starting October 2003. It
is possible to teach all
the courses within one year.

Job Requirements

- 95 percentile and above in the LSAT
- Commitment to teach at least 4 courses in
total within 2 years
- An excellent communicator and teacher
- Highly motivated and willing to take initia-
tives to help students
- Service-oriented
- Patience with students
- Experiences in teaching test preparation
courses or other subjects an
asset

Compensation:

- \$700 - \$1120 base salary per course (28
hours over 4 or 6 weeks)

- On top of the hourly salary, instructors
receive up to 10% of the
class proceeds as bonus. The bonus could be
anywhere between \$600 to
\$1400 depending on the size of the class.
The bonus is issued based on
students' evaluation and score improvement.

Who May Apply: 1st, 2nd, 3rd year students
or recent graduates

How to Apply: Please send your resume with
a cover letter by email to:

hr@ste.ca. For

information about STE, visit www.ste.ca.

STE Standardized Test Educators

www.ste.ca

TEL: 1888.309.3944 (Toll free)

FAX: 604.648.9238

Suite 1905 - 1155 Homer St.

Vancouver B.C.

Canada V6B 5T5

Deadline: 2003.10.22

Note: Training will be provided. Only short-
listed candidates will be
contacted.

**** University of Victoria, Director,
Academic and Cultural Support
Program**

The Faculty of Law at the University of
Victoria invites applications
for the position of Director, Academic and
Cultural Support Program,
commencing on or before February 1, 2004.

The Director will help meet the Faculty's
commitment to provide a supportive envi-
ronment for Aboriginal and Special Access
students. The Director will accomplish this
by: developing and delivering classes and
tutorials to promote student success in the
first year curriculum; designing and imple-
menting cultural support activities for
Aboriginal students; facilitating and support-
ing cultural activities for Special Access stu-
dents; and counselling Aboriginal and
Special Access students on an individual
basis to help them succeed in their law
school studies.

The successful applicant will have an LL.B.
with excellent teaching, writing, ►

counselling, and organisational and supervisory skills.

Demonstrated knowledge of Aboriginal groups as they relate to legal education, cultural protocols and Elders is required.

Applications, accompanied by curriculum vitae, copies of transcripts and contact information for three references, should be received by November 17, 2003. Please address applications to the Appointments Advisory Committee in care of Rosemary Garton, Committee Secretary, Faculty of Law, University of Victoria, PO Box 2400 STN CSC, Victoria, B.C., V8W 3H7. Fax: (250) 721-8146. Applications may be e-mailed to rgarton@uvic.ca to be followed by ordinary mail.

Information about the Faculty of Law can be found at <http://www.law.uvic.ca>. Additional information about the Director's position may be obtained from Heather Raven at 250-721-8185 or hraven@uvic.ca.

****CENTER FOR CIVIL AND HUMAN RIGHTS - NOTRE DAME LAW SCHOOL TRANSITIONAL JUSTICE PROJECT VISITING RESIDENTIAL FELLOWSHIPS**

The Center for Civil and Human Rights offers visiting fellowships to specialists on accountability for past human rights violations. The fellowship consists of a semester of research, writing and/or teaching on discrete aspects of accountability and recent historical experiences. The visiting fellow will be asked to share his or her findings with colleagues and Notre Dame student and faculty audiences at an academic colloquium. The fellow will also be expected to assist in organizing the Center's annual conference. Teaching classes and collaboration in editing CCHR publications may also be part of the fellow's experience while at Notre Dame.

This program is directed at human-rights monitors and advocates who wish to take some time off to systematize their experiences with accountability, as well as to prepare for the challenges of battling impunity in different regions and countries. They will be able to take advantage of Notre Dame's facilities to produce research of the highest quality. Scholars in law, political science, anthropology, ethics and religion, with a demonstrated vocation for human-rights concerns, can also take advantage of a program of research and writing directed at the prob-

lems of accountability for serious human-rights crimes.

The CCHR Advisory Council will assist the Center in the selection process. The visiting-fellowship program will ensure the widest possible geographic and cultural reach and cross-fertilization of ideas over different disciplines and experiences. The selection of fellows will be made with a view to obtaining intellectual products for a wide audience. These products are expected to strike a balance between top academic quality and usefulness for advocacy and policy formulation in a variety of struggles against impunity. Each fellow will be selected on a competitive basis.

FELLOWSHIPS: Starting in January 2002, and for a period of three years thereafter, the CCHR will offer one Visiting Residential Fellowship per semester, to be spent at Notre Dame University, South Bend, Indiana, USA. In especially deserving cases, the fellowship can be extended to two consecutive semesters. The Visiting Fellows are invited to take part in seminars and other meetings organized by CCHR and other departments at Notre Dame. CCHR will offer assistance with accommodations on or off campus for the fellow and family, and will provide office space at CCHR.

THEMES: For the purpose of these fellowships, the program focuses on the following priority themes: (1) Truth Commissions and other experiences with official truth telling; (2) International Criminal Law and Universal Jurisdiction; (3) The performance and jurisprudence of special war crimes tribunals; (4) The International Criminal Court; (5) Criminal prosecutions in domestic jurisdictions for human-rights crimes, and their relationship to democratic stability and the rule of law; (6) Domestic and international experiences with reparations and remedies for victims of gross human-rights violations; (7) Societal and cultural manifestations of efforts to preserve the memory of these abuses and their victims; (8) The competing demands of truth, justice and reconciliation; (9) Accountability standards and peacemaking in conflict situations; (10) Other approaches to this general theme, including inter-disciplinary efforts.

CRITERIA: The Center seeks scholars and practitioners of high accomplishment and promise whose work and presence will contribute creatively to its major research

themes. It welcomes applications from candidates of any country, who hold an advanced university degree or equivalent experience in any discipline of law, the social sciences or history.

The candidate must submit to the CCHR:

- 1) Application form completed (typed or printed).

- 2) Curriculum Vitae.

- 3) A 10-page statement of your research project. The CCHR suggests that you make clear: (a) the problem you are addressing and its importance within and beyond your field, with summary bibliographical references; (b) how it relates to the research themes of the CCHR's Transitional

Justice program; (c) your research design, including your basic hypotheses, the methods you are using, and the kinds of data or evidence you are considering; (d) where this particular project fits into your own intellectual and professional development; and (e) how much you would expect to complete during your time at the Center.

- 4) Transcript of advanced degree.

- 5) Two letters of recommendation.

The application form, curriculum vitae and the statement of the research project may be submitted by regular mail, fax or as an email attachment in a standard word processing format. Letters of recommendation should be sent directly to the CCHR by the person providing the recommendation, and may be sent by regular mail, fax or email. Incomplete applications will not be considered.

STIPENDS: Stipends vary with seniority and family needs, up to a maximum gross amount of \$22,000 per semester (which covers travel expenses, medical insurance, taxes and others).

DEADLINE: A complete application, including references and all documentation, must be received by November 14, 2003. Award will be announced by December 12, 2003.

APPLICATION FORM: Visit our Web Site for a form.

For more information, contact:
Javier Mariezcurrena

Program Manager - Transitional Justice ►

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Articling Opportunity 2004-2005,
 inistry of the Attorney General,
 Office of the Public Guardian and Trustee

the Office of the Public Guardian and
 trustee (OPGT) is part of the Family Justice
 Services Division of the Ministry of the
 Attorney General. There are four legal
 departments in the Office of the Public
 Guardian and Trustee: Litigation,
 Guardianship Services, Corporate Services
 and the Charitable Property Program. These
 departments deal with issues such as: pro-
 tecting mentally incapable people, protecting
 the public's interests in charities, searching
 for heirs, investing perpetual care funds,
 serving victims of crime, dealing with dis-
 solved corporations and making treatment
 decisions for those unable to do so and with-
 out next of kin.

the work in the OPGT has often been
 described as similar to that of a general prac-
 titioner. The majority of clients the office repre-
 sents are mentally challenged. The OPGT
 deals with any issues that arise for the
 client except for criminal and immigration
 matters. Articling students are given several
 opportunities to attend courts and tribunals
 and are exposed to a variety of subject mat-
 ters including family, estates, charities, real
 estate, corporations, torts, and personal
 injury.
 Students are also asked to prepare memoran-
 da of law on a number of issues.

The OPGT currently has three articling stu-
 dents. The articling program has three rota-
 tions and each student spends time in each
 rotation. The student has a principal and a
 mentor and they can speak to these individu-
 als throughout the year in order to obtain
 guidance. At the end of each rotation, the
 Articling Committee gives the students feed-
 back on their work.

The OPGT is seeking individuals who are
 interested in assisting the most vulnerable
 individuals in society. Students should have

some experience in dealing with mentally
 incapable people and should be willing to
 undertake challenging legal work.

Articling students must submit their applica-
 tions including resumé, law school grades,
 and references, directly to the Articling
 Committee.

If you wish to learn more about the Office of
 the Public Guardian and Trustee please visit
 the website at:

www.attorneygeneral.jus.gov.on.ca/english/family/pgt

Nicholas Hedley
 Articling Committee
 Office of the Public Guardian and Trustee
 E-mail: nicholas.hedley@jus.gov.on.ca
 595 Bay Street, Suite 800
 Toronto, ON M5G 2M6
 Direct Tel: (416) 326-7807
 Fax: (416) 314-2231

Additional Contact:
 Cynthia Brown, Counsel
 (416) 314-2767

- Application Deadline: Friday October 31st, 2003
- Interviews will be held in November 2003

2) ENTENTE DE RECRUTEMENT

Vous la trouvez en "attachment". Je souhaite
 attirer votre attention sur l'Annexe A qui
 porte sur le recrutement spécial d'automne.
 Veuillez noter que ce recrutement spécial
 s'adresse aux étudiants qui participent
 aux recrutements de New York, Boston et
 Toronto. Si vous êtes intéressé(e) à envoyer
 votre candidature à un cabinet de Montréal,
 vous devez l'envoyer directement. Le
 Service de placement ne recueillera pas
 les candidatures.

3) TORONTO SUMMER RECRUITMENT OCIs

PROCEDURE:

- OCIs Day: All Toronto firms will be conducting their first round of interviews on the same day, namely Thursday, October 16, 2003. The interviews will take place in the Mont-Royal Conference Center, 2200 Mansfield (front entry: 1000 Sherbrooke St. W., near Peel St.). All

participating should have their schedule
 ready.

- Call Day will be Friday, October 24, 2003, 8 a.m. This is when students find out whether they will participate in the second round of interviews.
- Second Round of Interviews: Selected students will be invited to meet with partners in their offices in Toronto, on November 3, 4, and 5, 2003. Please note that firms interpret your willingness to come and meet more partners, to visit the firm, etc. as a sign of your interest. Students are expected to take care of their own travel and accommodation arrangements.
- Communications of offers will be made starting at 5 p.m. on Wednesday, November 5, 2003.

ON OCIs DAY:

You will be asked to wait quietly in the lobby. At the signal from the CPO staff, you will then proceed to the interview booth. Each firm will interview up to 19 candidates on that one day. Each interview will last 18 minutes. At the 18 minute bell, students will be asked to return to lobby for 2 minutes before proceeding to their next interview. Employers have requested the 2-minute waiting period so that they have time to jot down notes.

PREPARATION

Students participating in the Toronto OCIs are strongly advised to review the guidelines on the LSUC website at: <http://education.lsuc.on.ca>. For contact coordinates and information on the firms, please consult the Applicant Information Booklet available at the CPO (or on the web at: www.mccarthy.ca – click on Student Recruitment, then on Toronto).

4) PROGRAMME D'ÉCHANGE INTER-PROVINCIAL

Les formulaires pour le Programme d'échange interprovincial sont arrivés au Service de placement. Date limite : 30 janvier 2004. Web : www.emploiudiant.qc.ca

[This copy of CPO Newsletter was truncated. You may access the full version at <http://www.law.mcgill.ca/cpo/careerlink-en.htm>.] ■

MCGILL LAW INTERNATIONAL HUMAN RIGHTS INTERNSHIP PROGRAMME

**APPLICATIONS DUE AT OUS
BY 3PM, THURSDAY, OCTOBER 23, 2003**

The International Human Rights Internship Programme selects law students for placements as interns with NGOs over the summer, to provide students with an opportunity to contribute to the work of human rights organizations in Canada and beyond. The Programme is a 6-credit course consisting of three components: a 12-week placement; an internship report (25% of final grade); and a research paper (75% of final grade). Partner NGOs provide students with practical work experience in human rights investigation, monitoring, and reporting. The internships also provide exposure to the operation and implementation of international legal human rights instruments and norms.

2004 Partner NGOs

Human Rights Commission of Pakistan in Lahore, Pakistan
Centre for Conflict Management, National University of Rwanda in Butare, Rwanda
International Centre for Ethnic Studies (ICES) in Colombo, Sri Lanka
Cambodian League for the Promotion and Defense of Human Rights (LICADHO) in Phnom Penh, Cambodia
Rights and Democracy in Montreal, Canada
Canadian Human Rights Foundation in Montreal, Canada
Inter-American Court of Human Rights in San José, Costa Rica
Human Rights Watch in New York City, U.S.A.
Legal Aid Clinic, Forced Migration and Refugee Studies in Cairo, Egypt
The Canadian HIV/AIDS Legal Network in Montreal, Canada

Important Dates

Thursday, October 23, 2003: Applications DUE at OUS by 3PM, 4th floor NCDH
Monday, October 27, 2003: Notification regarding interview
Friday, October 31, 2003: Interview day
Monday, November 3, 2003: Notification of candidates selected

Applications

Applications consist of a detailed curriculum vitae and a covering letter, and should be addressed to the Selection Committee of the International Human Rights Internship Programme. Applicants are invited to provide information about prior interest and experience in the area of human rights advocacy, in addition to relevant language skills. Applicants may address their applications toward a particular internship placement based on geographic or subject interest. Students may mention relevant course work, but are asked NOT to include grades on either the cover letter or the curriculum vitae.

Evaluation of Applications

The Selection Committee will consider applications on the basis of superior writing skills, demonstrated interest in international human rights, and the ability to work independently in a difficult environment. In general, the successful candidate will possess not only academic strengths, but will also demonstrate an ability to work effectively without supervision and often without structured direction. Interns may be asked to change the focus of their work during the course of a placement, to take on new responsibilities, and to deal with crises. Placements also demand a certain level of emotional and mental strength. The Selection Committee is thus also seeking interns who demonstrate such characteristics such as discretion, diplomacy, common sense, and compassion.

Contact Information

Assistant Coordinator - Janina Fogels
janina.fogels@mail.mcgill.ca
514-276-7203

Programme Supervisor - Dr. El Obaid A. El Obaid

For more detailed information, please visit <http://humanrights.law.mcgill.ca> or pick up the complete application package at the OUS or LSA bulletin board.